



Minutes of the
City Commission for the City of Traverse City
Regular Meeting
December 7, 2015

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Jim Carruthers presided at the meeting.

Presentation by Mayor Carruthers of a Mayoral Proclamation to Laura Oblinger, Traverse City Area Chamber of Commerce Executive Director, celebrating the 100 year anniversary of the Traverse City Area Chamber of Commerce.

Presentation by Mayor Carruthers of a Mayoral Proclamation to Rebecca Garland, Executive Director of Conflict Resolution Services, celebrating the 25th anniversary of Conflict Resolution Services.

As requested by Commissioner Gary Howe, Agenda Item 2(d) was removed from the Consent Calendar for individual consideration by the City Commission. There being no objection, Mayor Carruthers placed this item to be considered as New Business 4(b).

2. Consent Calendar

Moved by Richardson, seconded by Shamroe, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be

approved:

- a. the minutes of the November 16, 2015, Regular Meeting, be approved.
- b. the Directory of Charges, which consolidates all fees established by resolution of the City Commission into one document, which is a housekeeping matter be adopted and that the resolutions which established fees outlined in the Directory of Charges be superseded.
- c. the following Resolutions be adopted and added to the Directory of Charges: the Resolution Establishing Fees for Duncan L. Clinch Marina Seasonal Rates 2016; the Resolution Establishing Fees for Boardman River Dockage Seasonal Rates 2016; the Resolution Establishing Fees for Duncan L. Clinch Marina Transient Rates 2016; and the Resolution Establishing Fees for Duncan L. Clinch Marina Launching Permit and Sewage Pump Out Fees 2016.
- d. Removed from the Consent Calendar.
- e. the Mayor and City Clerk be authorized to execute a consultant agreement with Leading Edge Surveying, LLC in the amount of \$25,525 for topographic surveying and mapping work for 2015-2016 public improvement projects, with funds available in the Public Improvements Fund, Special Assessment Fund and TIF 97 Fund, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.
- f. the City of Traverse City Electronic Device Divestment Policy, be adopted.
- g. the competitive bidding process be waived for these professional services; and that the City Manager be authorized to issue a service order to Otwell Mawby in the not-to-exceed amount of \$9,050 for the preparation and delivery of a Phase I and Phase II Baseline Environmental Assessment for 145 West Front Street, with funds available in the Parking Fund.

CARRIED unanimously.

3. Old Business

3(a).

Public Hearing regarding a request for a Special Land Use Permit from Pine Street Development One to construct two approximately 96' tall buildings at 305 West Front Street, as recommended by the Planning Commission; and consideration of adopting an Order Granting the Request.

Commissioner Richard Lewis made the following disclosure: His son-in-law is Kent Wood, a Government Affairs Director for the Traverse City Area Chamber of Commerce. Commissioner Lewis indicated he has no financial interest in the Traverse City Area Chamber of Commerce; and therefore, he intends to participate in the making of a decision. Commissioner Lewis invited any member of the Commission to raise any issues with respect to his participation in deciding this matter for discussion; and no one responded.

The following addressed the Commission:

Marty Colburn, City Manager

Erik Falconer, Pine Street Development One, LLC

Joe Quandt, attorney representing Pine Street Development One, LLC

Mayor Carruthers opened the public hearing.

John Kopchia, 150 Pine Street –expressed opposition

Deb Sheer, 150 Pine Street –expressed opposition

Priscilla Townsend, 150 Pine Street –expressed opposition

Norma Loper, 150 Pine Street –expressed opposition

Lee Delancey, 150 Pine Street – expressed opposition

Ellen Corcoran, 150 Pine Street – expressed opposition

Woody Smith, 502 Fifth Street, City business owner – expressed opposition

Stewie Zacks, 203 Wadsworth Street – expressed opposition

Susannah Tobin, 502 Fifth Street – expressed opposition

Julie Brazaski, 642 Eastwood Avenue – expressed opposition

Elitza Nicolaou, 8904 S West Bay Shore Drive, Elmwood Township –
expressed support

Bill Kirschke, 515 Fifth Street – expressed opposition
Michael Jackson, 217 Sixth Street – expressed opposition
Mike Trippe, 615 East State Street – expressed support
Jo Bartlett, 807 East State Street – expressed opposition
Laura Oblinger, 1020 Washington Street, Traverse City Area Chamber of Commerce Executive Director – expressed support
Emily Modjul (sp?) 1123 Jefferson Street – made general comments
Cassidy Alderdood, no address given – expressed support
Ellen Montoya, 335 North East Bay Boulevard - expressed opposition
Lynmarie Pugh, 1772 Indian Woods Drive – expressed opposition
Allison Beers, 10248 Fishers Run, Long Lake Township, City business owner, Traverse City Area Chamber of Commerce Board of Directors, Traverse City Young Professionals Chairperson – expressed support
Julie Falconer, 409 Sixth Street, City business owner – made general comments
Anne Stanton, 124 North Madison Street – expressed opposition
John McDonald, 117 Monroe Street – expressed opposition
Rosemarie Carroll, 512 Terrace Drive – made general comments
Grant Parsons, 6936 Mission Ridge, Peninsula Township – expressed opposition
Brenda Quick, 542 Fifth Street – expressed opposition
Mike DeVries, 421 West Ninth Street – expressed opposition
Lesley Wray, 304 West 13th Street – expressed opposition
Ken Richmond, 333 Boardman Avenue – expressed support
Ken Kleinrichert, Jr., 9549 East Harbor Hills Drive, Elmwood Township, Traverse Area Association of Realtors Board President – expressed support
Chad Brown, 1711 Pergola Avenue, East Bay Township – made general comments
Tim Nance, 880 Oakdale Drive – expressed support
Jim Bruckbauer, 521 West 12th Street, Groundworks Center for Resilient Communities – expressed support
Simon Joseph, 4034 Burnt Mill, Interlochen, City business owner – made general comments
Lee Hornberger, 6730 Mission Ridge, Peninsula Township – expressed opposition
Ryan Volz, 2657 Bayway Court, Apt 206, Garfield Township - expressed opposition
Alissa Novak (sp?), no address given – expressed support

Christopher Fieldhouse, 8904 S West Bay Shore Drive, Elmwood Township – expressed support
Judy Nelson, 429 Garfield Avenue – expressed opposition
Paul Danielson, 446 North Elmwood Avenue, City business owner – expressed support
Rick Buckalter, 932 Kelley Street – expressed opposition
Michael Ullman, 261 Midtown Drive – made general comments
Sue Kelly, 10667 Timberlee, Elmwood Township – made general comments
Tom Mair, 612 Fifth Street – expressed opposition
Ann Rogers, 1236 Peninsula Drive – expressed opposition
Gary Olson, 1815 Wayne – made general comments
David Petrove, 9988 Riley Road, Interlochen – expressed opposition
Andrew Girrell (sp?), 532 Webster Street – expressed support
Christopher Grobbel 8288 E Northwind Trl, Leelanau MI, - expressed support
Matt Hodges, 3840 Heatherwood Drive West, Garfield Township - expressed support
Kimberly Pontius, 9372 E Summerfield Drive, Traverse City, Elmwood Township, Traverse Area Association of Realtors Executive Vice President, Elmwood Township Planning Commission Chairman – made general comments
Nate Griswold, 1129 Woodmere Avenue, City business owner – expressed support
Jerry Reinhart, 308 Timberhill Drive, East Bay Township – made general comments
Kent Anderson, 429 Garfield Avenue – expressed opposition
Deni Scrudato, 422 East State Street – expressed opposition
Rob Bacigalupi, Downtown Development Authority Executive Director
Seamus Shinnars, 410 Seventh Street – expressed opposition
Bea Edmond (sp?), 4644 Paper Birch Lane, Acme Township, City property owner – made general comments
Karen Nielson, 1223 Randolph Street – made general comments
Rick Korndorfer, 602 West Ninth Street – expressed support
Scott Smith, 2168 Averils Circle, East Bay Township – expressed support

There being no one further desiring to speak, Mayor Carruthers closed the public hearing.

There being no objection, Mayor Carruthers declared a recess.

Lauren Tribble-Laucht, City Attorney

Moved by Werner, seconded by Shamroe, that the Order Granting Special Land Use Permit No. 15-SLUP-02 to allow for the construction of two approximately 96 feet tall buildings at 305 West Front Street, with conditions, as recommended by the Planning Commission, be adopted.

Russ Soyring, City Planning Director
Benjamin Marentette, City Clerk

With the agreement by Commissioner Werner and Commissioner Shamroe and no objection by the Commission, the motion was amended to add the following words to the end of the motion: “with the order to be modified at Condition 5 to replace the words ‘are to’ with ‘shall’ and Condition 8 to delete the words ‘to the extent possible.’

Motion by Richardson, seconded by Carruthers, to call the question.

Roll Call:

Yes - Richardson, Carruthers.

No - Haas, Howe, Lewis, Shamroe, Werner.

FAILED; and therefore, debate continued and a recess was held.

With the agreement by Commissioner Werner and Commissioner Shamroe and no objection by the Commission, the motion was amended to add the following words to the end of the motion: ‘ and that the Factual Findings document reviewed at the meeting be incorporated into the record.

City Clerk Benjamin Marentette indicated the motion now before the Commission is as follows: Moved by Werner, seconded by Shamroe, that the Order Granting Special Land Use Permit No. 15-SLUP-02 to allow for the construction of two approximately 96-foot tall buildings at 305 West Front Street, with conditions, as recommended by the Planning Commission, be adopted, with

the order to be modified at Condition 5 to replace the words 'are to' with 'shall' and Condition 8 to delete the words 'to the extent possible' and that the Factual Findings document reviewed at the meeting be incorporated into the record.

Roll Call:

Yes - Haas, Howe, Lewis, Shamroe, Werner.

No - Richardson, Carruthers.

CARRIED.

Moved by Werner, seconded by Richardson, that the City Commission dispense with the remaining items on the agenda and that the meeting be adjourned immediately following public comment.

CARRIED unanimously.

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Reports from members of the Commission serving on boards.
 2. Quarterly Financial Report from the City Treasurer/Finance Director for the fourth quarter which ended June 30, 2015.
 3. Memo regarding and attaching the audit engagement letter from the

City Treasurer/Finance Director dated November 30, 2015.

- e. Reports and correspondence from non-City officials.
 - 1. Monthly Operations Report from CH2M for the Wastewater Treatment Plant for October 2015.
 - 2. Clean Marina Michigan designation awarded to the City's Duncan L. Clinch Marina through October 31, 2018.

7. Public Comment

- a. Reserved.

None.

- b. General.

Ann Rogers, 1236 Peninsula Drive
Ryan Volz, 2657 Bayway Court, Apt 206, Garfield Township

- c. Mayor and City Commissioners.

None.

8. Adjournment

There being no objection, Mayor Jim Carruthers declared the meeting adjourned at 12:50 a.m. on Tuesday, December 8, 2015.

Benjamin Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)